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Remarks

By this amendment, Applicants have amended claims 1, 13, 25, and 34 and added new claims 42–44 to clarify the claims and more particularly set forth the invention. The following claims remain in the present application:

Independent Claims: 1, 13, 25, 34, 42–44

Dependent Claims: 2–12, 14–24, 26–33, 35–41

Re-examination of the present application is requested. No new matter is added by this amendment.

Applicant respectfully submits that the pending claims patentably distinguish over the cited references. The present invention is directed to a suspended storage structure. While Applicant appreciates that Examiner is aware of, and has cited, references disclosing suspended work surfaces, suspended racks, catwalks, and the like, Applicant respectfully submits that none of the cited references, specifically Morrison or Griswold, disclose or suggest the recited features of the present invention.

To briefly summarize, Morrison is entitled “Adjustable Suspended Overhead Storage Rack.” Morrison discloses U-shaped brackets with hooks on the legs for hooking over rafters, ceiling joists, or the like. See Morrison, FIG. 1. Morrison discloses that multiple brackets may be used together thereby allowing a plank to be supported by the cross-piece of aligned brackets. See *id.* at FIG. 3.

Griswold is directed to hanger brackets for suspending a “working scaffold or platform” from I-beam rafters. See Griswold, Abstract. Griswold discloses the use of scissored hangers so

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that hangers can be mounted around the base of an I-beam, and also so that beams of varying size and shape can be mounted.

Turning first to amended claim 1, Examiner agrees that Morrison shows panels that “do not form a continuous surface.” Final Office Action, p. 2. However, Examiner suggests that “Griswold teaches the use of providing a continuous surface as a platform formed of individual panels to be old.” *Id.* Applicant respectfully submits that Griswold does not show a continuous surface of individual panels. Applicant can understand how Examiner may be misled by the figures of Griswold; the planking shown in Griswold’s platform (reference number 40 in FIG. 1) could be misinterpreted as individual panels. However, this is not the case. Griswold refers to part number 40 variously as “a larger work platform” and “[t]his platform,” which clearly indicates that Griswold considered this part to be a single panel.

In fact, when Griswold does use multiple panels, as indicated in FIG. 1 of Griswold, a gap remains. While not identified by a reference number, the panel directly above reference number 49 is spaced from panel 40 by the hanger and, thus, does not form a “continuous surface” as claimed. Not only is the surface of Griswold discontinuous because of the gap between the panels, but additionally because of the “step” created by the lap joint of the supporting 4×4 s. Looking specifically at FIG. 1, Examiner can appreciate that the panel supported by the support having reference number 48 is higher than the next panel supported by the support having reference number 49.

Nor does Griswold suggest a substantially continuous surface. Griswold himself acknowledges that the lap joint will cause each panel to tilt and suggests adjustments to maintain

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each panel level (see Griswold, col. 3, ll. 17–25) but Griswold never addresses the step or the gap created at each panel edge. Therefore, Griswold never even suggests that his invention could be altered or modified to form a continuous surface.

In sum, Griswold fails to show multiple panels forming a continuous surface. Rather, Griswold shows multiple panels that are separated by gaps and steps. Because Griswold does not show the surface recited in amended claim 1, Applicant respectfully submits that amended claim 1 is allowable.

Claim 2 is directed to an embodiment in which the support beam and suspension posts are integrally formed. None of the references show integral support beams and suspension posts. For this reason, and because claim 2 depends from an allowable independent claim, Applicant submits that claim 2 is allowable.

Claims 3 and 4 are directed to an embodiment in which the support beam extends beyond the platform. Applicant submits that claims 3 and 4 are allowable as depending from an allowable independent claim.

Claim 5 is directed to an embodiment in which the length of the support beam is sized to retain panels in adjacency to form a continuous surface. As discussed above, Griswold and Morrison fail to show multiple panels forming a continuous surface. For this reason, and because claim 5 depends from allowable claim 1, Applicant submits that claim 5 is allowable.

Claims 6 and 8 are all directed to various structure for securing multiple panels of a platform in a continuous surface.¹ Claim 6 is directed to the use of a coupling to hold multiple

1. Applicant notes that Examiner has opined that claim 7 is allowable if rewritten in

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panels in a continuous surface. Applicant respectfully submits that neither Griswold nor Morrison shows the use of a coupling to hold multiple panels as a continuous surface. Morrison, as discussed above, does not show multiple panels. Griswold, as discussed above, leaves a gap and a step between each panel and does not use any form of coupling between panels. Applicant submits that claim 6 is allowable for this reason and because claim 6 depends from allowable claim 1.

Claim 8 is directed to an embodiment in which multiple panels are maintained as a continuous surface by securing the panels to the support beam. Applicant respectfully submits that neither Griswold nor Morrison shows the use of multiple panels forming a continuous surface, where each panel is secured to the support beam. Morrison does not show multiple panels and Griswold does not show a continuous surface. For this reason, and because claim 8 depends from allowable claim 1, Applicant submits that claim 8 is allowable.

Claims 9 and 10 are directed to an embodiment in which the suspension posts are adjustable in length. Because these claims depend, directly or indirectly, from allowable claim 1, Applicant submits that claims 9 and 10 are allowable.

Claim 11 recites an embodiment in which the panels are positioned with the edges of adjacent panels perpendicular to the support beam. Because neither of the references show multiple adjacent panels forming a continuous surface, neither of the references show adjacent panels with edges perpendicular to the support beam. For this reason, and because claim 11 depends from allowable claim 1, Applicant submits that claim 11 is allowable.

independent form.

Claim 12 recites an embodiment in which the length of the support beam is an integer multiple of the length of a panel such that multiple panels are held in a continuous surface by a single support beam. For the reasons discussed above, neither Morrison nor Griswold show or suggest multiple panels forming a continuous surface. For this reason, and because claim 12 depends from allowable independent claim 1, Applicant submits that claim 12 is allowable.

Amended claim 13 recites a substantially continuous platform formed from multiple panels. As discussed above in regard to claim 1, Morrison and Griswold fail to show or suggest a continuous surface. Moreover, Morrison and Griswold fail to show panels along the same support beam adjacent one another. Both Morrison and Griswold show panels separated by the supports or hangers. Claim 13, however, recites “panels positioned along said support beam adjacent one another to cooperate to form a substantially continuous surface.” Because Griswold and Morrison fail to show or suggest this feature, Applicant submits that claim 13 is allowable.

Claims 14–18 and 20–24 are substantially similar to claims 2–6, and 8–12, respectively.² For the reasons discussed above, and because claim 14–24 depend either directly or indirectly from allowable claim 13, Applicant submits that claims 14–24 are allowable.

Amended claim 25 recites a substantially continuous platform formed from multiple panels secured to one another. As discussed above in regard to claim 1, Morrison and Griswold fail to show or suggest a continuous surface. Moreover, Morrison and Griswold fail to show panels secured to one another to form the continuous surface. Both Morrison and Griswold show

2. Like claim 7, Examiner indicated that claim 19 was allowable if rewritten in independent form.

panels separated by the supports or hangers. Claim 25, however, recites “each said panel secured to an adjacent panel to cooperate to form a substantially continuous surface.” Because Griswold and Morrison fail to show or suggest this feature, Applicant submits that claim 25 is allowable.

Claims 26–28 are substantially similar to claims 2–4. For the reasons advance above with respect to claims 2–4, and because claims 26–28 depend from allowable claim 25, Applicant submits that claims 26–28 are allowable. Likewise, claims 29 and 31–33 are substantially similar to claims 6 and 8–10, respectively.³ For the reasons advance above with respect to claims 6 and 8 – 10, and because claims 29 and 31–33 depend from allowable independent claim 25, Applicant submits that claims 29 and 31–33 are allowable.

Amended claim 34 recites a platform in which the panels are “secured to said support beam adjacent one another to cooperate to form a substantially continuous surface.” As discussed above, Morrison and Griswold fail to show or suggest a “substantially continuous surface,” since Morrison fails to show multiple panels and Groswold shows a surface with gaps and steps between panels. Since neither shows a substantially continuous surface, neither can show panels secured to a support beam adjacent one another to cooperate to form a substantially continuous surface. For this reason, and the reasons discussed above with respect to independent claims 1, 13, and 25, Applicant submits that independent claim 34 is allowable.

Claims 35–37 are substantially similar to claims 2–4. For the reasons advanced above with respect to claims 2–4, and because claims 35–37 depend from allowable claim 34,

3. Like claim 7, Examiner indicated that claim 30 was allowable if rewritten in independent form.

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Applicant submits that claims 35–37 are allowable. Similarly, claims 38, 40, and 41 are substantially similar to claims 6, 9, and 10, respectively.⁴ For the reasons advanced above with respect to claims 6, 9, and 10, and because claims 38, 40, and 41 depend from allowable claim 34, Applicant submits that claims 38, 40, and 41 are allowable.

Examiner indicated that claims 7, 19, 30, and 39 would be allowable if rewritten in independent form. Rather than rewriting these claims, Applicant adds new claims 42, 43, and 44 which incorporate all the elements of allowable claims 7, 30, and 39, respectively, including the respective base claims and all intervening dependent claims. Since Examiner indicated that claims 7, 30, and 39 would be allowable, Applicant submits that claims 42, 43, and 44 are in condition for allowance.

In summary, Applicant respectfully submits that Examiner's statement that Griswold teaches that providing a continuous surface using individual panels, is incorrect. Griswold does not show a continuous surface formed from individual panels. Rather it shows panels that are separated by gaps and steps. As Examiner agrees with Applicant that Morrison also fails to show a continuous surface, Applicant submits that the claims are allowable over the cited art.

4. Like claim 7, Examiner indicated that claim 39 would be allowable if rewritten in independent form.

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Conclusion

For the reasons advanced above, all pending claims are now believed to be in condition for allowance. Should Examiner believe that a telephone interview would advance the prosecution of this application, the undersigned would invite and request such an interview.

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Respectfully submitted,
MORISHITA LAW FIRM, LLC

By: 

Robert Ryan Morishita
Registration No. 42,907
3800 Howard Hughes Pkwy.
Suite 850
Las Vegas, NV 89109
Telephone: (702) 222-2113

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